



Reprinted
April 15, 2009

ENGROSSED SENATE BILL No. 96

DIGEST OF SB 96 (Updated April 14, 2009 6:42 pm - DI 77)

Citations Affected: IC 25-1; IC 25-20.5; IC 25-23.6; IC 31-32; noncode.

Synopsis: Addiction counselors and paramedics. Provides for a license for addiction counselors. Changes the name of the "social worker, marriage and family therapist, and mental health counselor board" to the "behavioral health and human services licensing board" (board) and adds members. Makes changes to the appointing authority of the members of the board. Requires addiction counselors and clinical addiction counselors to be licensed. Establishes requirements and procedures for an individual to be licensed as an addiction counselor or clinical addiction counselor. Prohibits a person who is not licensed as an addiction counselor from using certain titles or certain words in a title. Requires the health finance commission to study issues concerning paramedics. Makes conforming changes. (The introduced version of this bill was prepared by the commission on mental health.)

Effective: July 1, 2009.

Lawson C, Simpson

(HOUSE SPONSORS — BROWN C, WELCH, NOE)

January 7, 2009, read first time and referred to Committee on Health and Provider Services.

February 19, 2009, amended, reported favorably — Do Pass.

February 23, 2009, read second time, amended, ordered engrossed.

February 24, 2009, engrossed. Read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 2, 2009, read first time and referred to Committee on Courts and Criminal Code.

March 26, 2009, reassigned to Committee on Health.

April 9, 2009, amended, reported — Do Pass.

April 14, 2009, read second time, amended, ordered engrossed.

ES 96—LS 6101/DI 14+



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April 15, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 96

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-1-2-6, AS AMENDED BY P.L.3-2008,
2 SECTION 176, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section,
4 "license" includes all occupational and professional licenses,
5 registrations, permits, and certificates issued under the Indiana Code,
6 and "licensee" includes all occupational and professional licensees,
7 registrants, permittees, and certificate holders regulated under the
8 Indiana Code.
- 9 (b) This section applies to the following entities that regulate
10 occupations or professions under the Indiana Code:
- 11 (1) Indiana board of accountancy.
 - 12 (2) Indiana grain buyers and warehouse licensing agency.
 - 13 (3) Indiana auctioneer commission.
 - 14 (4) Board of registration for architects and landscape architects.
 - 15 (5) State board of barber examiners.
 - 16 (6) State board of cosmetology examiners.
 - 17 (7) Medical licensing board of Indiana.

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- 1 (8) Secretary of state.
- 2 (9) State board of dentistry.
- 3 (10) State board of funeral and cemetery service.
- 4 (11) Worker's compensation board of Indiana.
- 5 (12) Indiana state board of health facility administrators.
- 6 (13) Committee of hearing aid dealer examiners.
- 7 (14) Indiana state board of nursing.
- 8 (15) Indiana optometry board.
- 9 (16) Indiana board of pharmacy.
- 10 (17) Indiana plumbing commission.
- 11 (18) Board of podiatric medicine.
- 12 (19) Private investigator and security guard licensing board.
- 13 (20) State board of registration for professional engineers.
- 14 (21) Board of environmental health specialists.
- 15 (22) State psychology board.
- 16 (23) Indiana real estate commission.
- 17 (24) Speech-language pathology and audiology board.
- 18 (25) Department of natural resources.
- 19 (26) State boxing commission.
- 20 (27) Board of chiropractic examiners.
- 21 (28) Mining board.
- 22 (29) Indiana board of veterinary medical examiners.
- 23 (30) State department of health.
- 24 (31) Indiana physical therapy committee.
- 25 (32) Respiratory care committee.
- 26 (33) Occupational therapy committee.
- 27 (34) ~~Social worker, marriage and family therapist, and mental~~
- 28 ~~health counselor~~ **Behavioral health and human services**
- 29 **licensing** board.
- 30 (35) Real estate appraiser licensure and certification board.
- 31 (36) State board of registration for land surveyors.
- 32 (37) Physician assistant committee.
- 33 (38) Indiana dietitians certification board.
- 34 (39) Indiana hypnotist committee.
- 35 (40) Attorney general (only for the regulation of athlete agents).
- 36 (41) Manufactured home installer licensing board.
- 37 (42) Home inspectors licensing board.
- 38 (43) State board of massage therapy.
- 39 (44) Any other occupational or professional agency created after
- 40 June 30, 1981.
- 41 (c) Notwithstanding any other law, the entities included in
- 42 subsection (b) shall send a notice of the upcoming expiration of a

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license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 2. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- (5) State board of barber examiners (IC 25-7-5-1).
- (6) State boxing commission (IC 25-9-1).
- (7) Board of chiropractic examiners (IC 25-10-1).
- (8) State board of cosmetology examiners (IC 25-8-3-1).
- (9) State board of dentistry (IC 25-14-1).
- (10) Indiana dietitians certification board (IC 25-14.5-2-1).
- (11) State board of registration for professional engineers (IC 25-31-1-3).
- (12) Board of environmental health specialists (IC 25-32-1).
- (13) State board of funeral and cemetery service (IC 25-15-9).
- (14) Indiana state board of health facility administrators (IC 25-19-1).
- (15) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- (16) Home inspectors licensing board (IC 25-20.2-3-1).
- (17) Indiana hypnotist committee (IC 25-20.5-1-7).
- (18) State board of registration for land surveyors (IC 25-21.5-2-1).
- (19) Manufactured home installer licensing board (IC 25-23.7).
- (20) Medical licensing board of Indiana (IC 25-22.5-2).
- (21) Indiana state board of nursing (IC 25-23-1).
- (22) Occupational therapy committee (IC 25-23.5).
- (23) Indiana optometry board (IC 25-24).
- (24) Indiana board of pharmacy (IC 25-26).
- (25) Indiana physical therapy committee (IC 25-27-1).
- (26) Physician assistant committee (IC 25-27.5).
- (27) Indiana plumbing commission (IC 25-28.5-1-3).

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- (28) Board of podiatric medicine (IC 25-29-2-1).
- (29) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- (30) State psychology board (IC 25-33).
- (31) Indiana real estate commission (IC 25-34.1-2).
- (32) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (33) Respiratory care committee (IC 25-34.5).
- (34) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health and human services licensing** board (IC 25-23.6).
- (35) Speech-language pathology and audiology board (IC 25-35.6-2).
- (36) Indiana board of veterinary medical examiners (IC 25-38.1-2).

SECTION 3. IC 25-1-5-3, AS AMENDED BY P.L.2-2008, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) There is established the Indiana professional licensing agency. The agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (13) Controlled substances advisory committee (IC 35-48-2-1).
- (14) Committee of hearing aid dealer examiners (IC 25-20).
- (15) Indiana physical therapy committee (IC 25-27).
- (16) Respiratory care committee (IC 25-34.5).
- (17) Occupational therapy committee (IC 25-23.5).



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(18) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health and human services licensing** board (IC 25-23.6).

(19) Physician assistant committee (IC 25-27.5).

(20) Indiana athletic trainers board (IC 25-5.1-2-1).

(21) Indiana dietitians certification board (IC 25-14.5-2-1).

(22) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the agency policy making authority, which authority remains with each board.

SECTION 4. IC 25-1-5-10, AS AMENDED BY P.L.2-2008, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dentistry (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32-1).

(10) Speech-language pathology and audiology board (IC 25-35.6-2).

(11) State psychology board (IC 25-33).

(12) Indiana board of veterinary medical examiners (IC 25-38.1-2).

(13) Indiana physical therapy committee (IC 25-27).

(14) Respiratory care committee (IC 25-34.5).

(15) Occupational therapy committee (IC 25-23.5).

(16) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health and human services licensing** board (IC 25-23.6).

(17) Physician assistant committee (IC 25-27.5).

(18) Indiana athletic trainers board (IC 25-5.1-2-1).

(19) Indiana dietitians certification board (IC 25-14.5-2-1).

(20) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) The agency shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

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(1) The provider's name.

(2) The provider's license, certification, registration, or permit number.

(3) The provider's license, certification, registration, or permit type.

(4) The date the provider's license, certification, registration, or permit was issued.

(5) The date the provider's license, certification, registration, or permit expires.

(6) The current status of the provider's license, certification, registration, or permit.

(7) The provider's city and state of record.

(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The agency shall make provider profiles available to the public.

(e) The computer gateway administered by the office of technology established by IC 4-13.1-2-1 shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The agency may adopt rules under IC 4-22-2 to implement this section.

SECTION 5. IC 25-1-7-1, AS AMENDED BY P.L.3-2008, SECTION 178, AND AS AMENDED BY P.L.134-2008, SECTION 16, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects

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- 1 (IC 25-4-1-2).
- 2 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 3 (4) State board of barber examiners (IC 25-7-5-1).
- 4 (5) State boxing commission (IC 25-9-1).
- 5 (6) Board of chiropractic examiners (IC 25-10-1).
- 6 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 7 (8) State board of dentistry (IC 25-14-1).
- 8 (9) State board of funeral and cemetery service (IC 25-15-9).
- 9 (10) State board of registration for professional engineers
- 10 (IC 25-31-1-3).
- 11 (11) Indiana state board of health facility administrators
- 12 (IC 25-19-1).
- 13 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 14 (13) Indiana state board of nursing (IC 25-23-1).
- 15 (14) Indiana optometry board (IC 25-24).
- 16 (15) Indiana board of pharmacy (IC 25-26).
- 17 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 18 (17) Board of podiatric medicine (IC 25-29-2-1).
- 19 (18) Board of environmental health specialists (IC 25-32-1).
- 20 (19) State psychology board (IC 25-33).
- 21 (20) Speech-language pathology and audiology board
- 22 (IC 25-35.6-2).
- 23 (21) Indiana real estate commission (IC 25-34.1-2).
- 24 (22) Indiana board of veterinary medical examiners (~~IC 25-5-1-1~~;
- 25 ~~IC 25-38.1~~).
- 26 (23) Department of natural resources for purposes of licensing
- 27 water well drillers under IC 25-39-3.
- 28 (24) Respiratory care committee (IC 25-34.5).
- 29 (25) Private investigator and security guard licensing board
- 30 (IC 25-30-1-5.2).
- 31 (26) Occupational therapy committee (IC 25-23.5).
- 32 (27) ~~Social worker, marriage and family therapist, and mental~~
- 33 ~~health counselor~~ **Behavioral health and human services**
- 34 **licensing** board (IC 25-23.6).
- 35 (28) Real estate appraiser licensure and certification board
- 36 (IC 25-34.1-8).
- 37 (29) State board of registration for land surveyors
- 38 (IC 25-21.5-2-1).
- 39 (30) Physician assistant committee (IC 25-27.5).
- 40 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 41 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 42 (33) Indiana hypnotist committee (IC 25-20.5-1-7).

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- (34) Indiana physical therapy committee (IC 25-27).
- (35) Manufactured home installer licensing board (IC 25-23.7).
- (36) Home inspectors licensing board (IC 25-20.2-3-1).
- (37) State department of health, *for out-of-state mobile health care entities*.
- (38) State board of massage therapy (IC 25-21.8-2-1).
- (39) Any other occupational or professional agency created after June 30, 1981.

SECTION 6. IC 25-1-8-1, AS AMENDED BY P.L.3-2008, SECTION 179, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dentistry (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).
- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2-1).
- (22) Indiana board of veterinary medical examiners (IC 25-38.1-2-1).
- (23) Department of insurance (IC 27-1).
- (24) State police department (IC 10-11-2-4), for purposes of certifying polygraph examiners under IC 25-30-2.

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(25) Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.

(26) Private investigator and security guard licensing board (IC 25-30-1-5.2).

(27) Occupational therapy committee (IC 25-23.5-2-1).

(28) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health and human services licensing** board (IC 25-23.6-2-1).

(29) Real estate appraiser licensure and certification board (IC 25-34.1-8).

(30) State board of registration for land surveyors (IC 25-21.5-2-1).

(31) Physician assistant committee (IC 25-27.5).

(32) Indiana athletic trainers board (IC 25-5.1-2-1).

(33) Board of podiatric medicine (IC 25-29-2-1).

(34) Indiana dietitians certification board (IC 25-14.5-2-1).

(35) Indiana physical therapy committee (IC 25-27).

(36) Manufactured home installer licensing board (IC 25-23.7).

(37) Home inspectors licensing board (IC 25-20.2-3-1).

(38) State board of massage therapy (IC 25-21.8-2-1).

(39) Any other occupational or professional agency created after June 30, 1981.

SECTION 7. IC 25-1-8-6, AS AMENDED BY P.L.105-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) As used in this section, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana athletic trainers board (IC 25-5.1-2-1).

(4) Indiana auctioneer commission (IC 25-6.1-2-1).

(5) State board of barber examiners (IC 25-7-5-1).

(6) State boxing commission (IC 25-9-1).

(7) Board of chiropractic examiners (IC 25-10-1).

(8) State board of cosmetology examiners (IC 25-8-3-1).

(9) State board of dentistry (IC 25-14-1).

(10) Indiana dietitians certification board (IC 25-14.5-2-1).

(11) State board of registration for professional engineers (IC 25-31-1-3).

(12) Board of environmental health specialists (IC 25-32-1).

(13) State board of funeral and cemetery service (IC 25-15-9).

(14) Indiana state board of health facility administrators

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- 1 (IC 25-19-1).
- 2 (15) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- 3 (16) Home inspectors licensing board (IC 25-20.2-3-1).
- 4 (17) Indiana hypnotist committee (IC 25-20.5-1-7).
- 5 (18) State board of registration for land surveyors
- 6 (IC 25-21.5-2-1).
- 7 (19) Manufactured home installer licensing board (IC 25-23.7).
- 8 (20) Medical licensing board of Indiana (IC 25-22.5-2).
- 9 (21) Indiana state board of nursing (IC 25-23-1).
- 10 (22) Occupational therapy committee (IC 25-23.5).
- 11 (23) Indiana optometry board (IC 25-24).
- 12 (24) Indiana board of pharmacy (IC 25-26).
- 13 (25) Indiana physical therapy committee (IC 25-27).
- 14 (26) Physician assistant committee (IC 25-27.5).
- 15 (27) Indiana plumbing commission (IC 25-28.5-1-3).
- 16 (28) Board of podiatric medicine (IC 25-29-2-1).
- 17 (29) Private investigator and security guard licensing board
- 18 (IC 25-30-1-5.2).
- 19 (30) State psychology board (IC 25-33).
- 20 (31) Indiana real estate commission (IC 25-34.1-2).
- 21 (32) Real estate appraiser licensure and certification board
- 22 (IC 25-34.1-8).
- 23 (33) Respiratory care committee (IC 25-34.5).
- 24 (34) ~~Social worker, marriage and family therapist, and mental~~
- 25 ~~health counselor~~ **Behavioral health and human services**
- 26 **licensing** board (IC 25-23.6).
- 27 (35) Speech-language pathology and audiology board
- 28 (IC 25-35.6-2).
- 29 (36) Indiana board of veterinary medical examiners (IC 25-38.1).
- 30 (37) State board of massage therapy (IC 25-21.8-2-1).
- 31 (b) This section does not apply to a license, certificate, or
- 32 registration that has been revoked or suspended.
- 33 (c) Notwithstanding any other law regarding the reinstatement of a
- 34 delinquent or lapsed license, certificate, or registration and except as
- 35 provided in section 8 of this chapter, the holder of a license, certificate,
- 36 or registration that was issued by the board that is three (3) years or less
- 37 delinquent must be reinstated upon meeting the following
- 38 requirements:
- 39 (1) Submission of the holder's completed renewal application.
- 40 (2) Payment of the current renewal fee established by the board
- 41 under section 2 of this chapter.
- 42 (3) Payment of a reinstatement fee established by the Indiana

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professional licensing agency.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

(1) Submission of the holder's completed renewal application.

(2) Payment of the current renewal fee established by the board under section 2 of this chapter.

(3) Payment of a reinstatement fee equal to the current initial application fee.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.

(6) Any other requirement that is provided for in statute or rule that is not related to fees.

SECTION 8. IC 25-1-9-1, AS AMENDED BY P.L.2-2008, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dentistry (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

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- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (13) Indiana physical therapy committee (IC 25-27-1).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) ~~Social worker, marriage and family therapist, and mental health counselor~~ **Behavioral health and human services licensing** board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 9. IC 25-20.5-1-1, AS AMENDED BY P.L.134-2008, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This chapter does not apply to the following if the person has received training in the performance of hypnotism:

- (1) A licensed dentist practicing dentistry under IC 25-14.
- (2) A licensed physician practicing medicine under IC 25-22.5.
- (3) A licensed osteopath practicing medicine under IC 25-22.5.
- (4) A licensed psychologist practicing psychology under IC 25-33.
- (5) A licensed social worker or clinical social worker practicing social work or clinical social work under IC 25-23.6.
- (6) A registered nurse licensed under IC 25-23.
- (7) A licensed marriage and family therapist practicing marriage and family therapy under IC 25-23.6.
- (8) A licensed mental health counselor practicing mental health counseling under IC 25-23.6.
- (9) **A licensed addiction counselor or a licensed clinical addiction counselor practicing addiction counseling or clinical addiction counseling under IC 25-23.6.**
- ~~(9)~~ **(10)** An individual who teaches Lamaze prenatal and delivery relaxation techniques to pregnant women.

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(10) (11) A law enforcement officer who:

(A) is trained in hypnotism; and

(B) uses hypnosis only for law enforcement purposes.

(11) (12) A licensed chiropractor practicing the science of chiropractic under IC 25-10.

(12) (13) An individual who performs hypnotism exclusively for entertainment or amusement purposes at a theater, night club, or other place that offers entertainment to the public for consideration or promotional purposes.

SECTION 10. IC 25-23.6-1-1.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.2. "Addiction counseling experience" refers to a time during which an applicant provides addiction counseling services directly to clients diagnosed with a substance use disorder, including treatment of clients, and with respect to which at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.**

SECTION 11. IC 25-23.6-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. "Board" refers to the social worker, marriage and family therapist, and mental health counselor behavioral health and human services licensing board.

SECTION 12. IC 25-23.6-1-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 2.6. "Clinical addiction counseling experience" refers to a time during which an applicant provides clinical services, including evaluation and treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.**

SECTION 13. IC 25-23.6-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. "Clinical social worker" means an individual who is licensed under ~~this article.~~ **IC 25-23.6-5.**

SECTION 14. IC 25-23.6-1-3.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3.8. Except as provided in IC 25-23.6-7-5, ~~as used in this chapter,~~ "counselor" refers to a social worker, a clinical social worker, a marriage and family therapist, or a mental health counselor, **an addiction counselor, or a clinical addiction counselor** who is licensed under this article.

SECTION 15. IC 25-23.6-1-4.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2009]: **Sec. 4.3. "Licensed addiction counselor" means an individual who is licensed as an addiction counselor under IC 25-23.6-10.5.**

SECTION 16. IC 25-23.6-1-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 4.5. "Licensed clinical addiction counselor" means an individual who is licensed as a clinical addiction counselor under IC 25-23.6-10.5.**

SECTION 17. IC 25-23.6-1-4.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 4.8. "Licensed social worker" means an individual who is licensed under this article: IC 25-23.6-5.**

SECTION 18. IC 25-23.6-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5. "Marriage and family therapist" means an individual who is licensed under this article: IC 25-23.6-8.**

SECTION 19. IC 25-23.6-1-5.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5.5. "Mental health counselor" means an individual licensed under this article: IC 25-23.6-8.5.**

SECTION 20. IC 25-23.6-1-5.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5.7. (a) "Practice of addiction counseling" means professional services delivered by a licensed addiction counselor that are designed to change substance use or addictive behavior and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:**

- (1) gathering information through structured interview screens through routine protocols;**
- (2) reviewing assessment findings to assist in the development of a plan individualized for treatment services and to coordinate services;**
- (3) referring for assessment, diagnosis, evaluation, and mental health therapy;**
- (4) providing client and family education related to addictions;**
- (5) providing information on social networks and community systems for referrals and discharge planning;**
- (6) participating in multidisciplinary treatment team meetings**

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or consulting with clinical addiction professionals;
 (7) counseling through individual and group counseling, as well as group and family education, to treat addiction and substance abuse in a variety of settings, including:

(A) mental and physical health facilities; and

(B) child and family service agencies; and

(8) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of psychology under IC 25-33-1-2(a)).

(c) For an individual who obtains a license as an addiction counselor by:

(1) holding a valid:

(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or

(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;

(2) having at least ten (10) years of experience in addiction counseling;

(3) furnishing satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently; and

(4) filing an initial application with the board before July 1, 2010;

the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan.

SECTION 21. IC 25-23.6-1-5.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5.9. (a) "Practice of clinical addiction counseling"** means professional services delivered by a licensed clinical addiction counselor that are designed to change substance use or addictive behavior and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

(1) gathering information through structured interview

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1 screens using routine protocols and standardized clinical
2 instruments;

3 (2) using appraisal instruments as an aid in individualized
4 treatment planning that the licensed clinical addiction
5 counselor is qualified to employ because of:

6 (A) education;

7 (B) training; and

8 (C) experience;

9 (3) providing psychosocial evaluations using accepted
10 classifications, including classifications from the American
11 Psychiatric Association's Diagnostic and Statistical Manual of
12 Mental Disorders, as amended and supplemented, to the
13 extent of the licensed clinical addiction counselor's education,
14 training, experience, and scope of practice as established by
15 this article;

16 (4) reviewing assessment findings to:

17 (A) develop a plan for individualized addiction treatment;

18 (B) coordinate services; and

19 (C) provide subsequent assessment updates;

20 (5) using counseling and psychotherapeutic techniques
21 through individual, group, and family counseling to treat
22 addiction and other substance related problems and
23 conditions in a variety of settings, including:

24 (A) mental and physical health facilities;

25 (B) child and family service agencies; and

26 (C) private practice;

27 (6) providing client and family education related to
28 addictions;

29 (7) providing information on social networks and community
30 systems for referrals and discharge planning;

31 (8) participating in multidisciplinary treatment team meetings
32 or consulting with clinical addiction professionals; and

33 (9) maintaining the highest level of professionalism and
34 ethical responsibility.

35 (b) The term does not include diagnosis (as defined in
36 IC 25-22.5-1-1.1(c)).

37 SECTION 22. IC 25-23.6-2-1 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. The ~~social worker,~~
39 ~~marriage and family therapist, and mental health counselor~~ **behavioral**
40 **health and human services licensing** board is established.

41 SECTION 23. IC 25-23.6-2-2, AS AMENDED BY P.L.2-2007,
42 SECTION 329, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The board consists of ~~nine (9)~~
eleven (11) members appointed ~~by the governor~~ for terms of three (3)
 years. The board must include the following:

(1) Two (2) marriage and family therapists who:

(A) have at least a master's degree in marriage and family
 therapy or a related field from an eligible postsecondary
 educational institution;

(B) are licensed under this chapter; and

(C) have five (5) years of experience in marriage and family
 therapy.

(2) One (1) social worker who:

(A) has at least a master's degree in social work from an
 eligible postsecondary educational institution accredited by the
 Council on Social Work Education;

(B) is licensed under this article; and

(C) has at least five (5) years of experience as a social worker.

(3) One (1) social services director of a hospital with a social
 work degree who has at least three (3) years of experience in a
 hospital setting.

(4) Two (2) mental health counselors who:

(A) have at least a master's degree in mental health counseling;

(B) are licensed under this article; and

(C) have at least five (5) years experience as a mental health
 counselor.

(5) Two (2) consumers who have never been credentialed under
 this article.

(6) One (1) physician licensed under IC 25-22.5 who has training
 in psychiatric medicine.

(7) Two (2) licensed clinical addiction counselors who:

(A) are licensed under IC 25-23.6-10.5; and

**(B) have at least five (5) years experience in clinical
 addiction counseling.**

(b) ~~Not more than five (5) members of the board may be from the
 same political party. The members of the board shall be appointed
 as follows:~~

**(1) One (1) member appointed under subsection (a)(2), one
 member appointed under subsection (a)(3), and one member
 appointed under subsection (a)(6) appointed by the governor.
 Not more than two (2) of the members appointed under this
 subdivision may be from the same political party.**

**(2) One (1) member appointed under subsection (a)(1), one
 member appointed under subsection (a)(4), one member**

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1 appointed under subsection (a)(5), and one member appointed
 2 under subsection (a)(7) appointed by the speaker of the house
 3 of representatives. Not more than two (2) of the members
 4 appointed under this subdivision may be from the same
 5 political party.

6 (3) One (1) member appointed under subsection (a)(1), one
 7 member appointed under subsection (a)(4), one member
 8 appointed under subsection (a)(5), and one member appointed
 9 under subsection (a)(7) appointed by the president pro
 10 tempore of the senate. Not more than two (2) of the members
 11 appointed under this subdivision may be from the same
 12 political party.

13 SECTION 24. IC 25-23.6-2-8 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) The board shall
 15 adopt rules under IC 4-22-2 establishing standards for the following:

16 (1) The competent practice of marriage and family therapy, social
 17 work, clinical social work, ~~and~~ mental health counseling,
 18 **addiction counseling, and clinical addiction counseling.**

19 (2) The renewal of licenses issued under this article.

20 (3) Standards for the administration of this article.

21 (4) Continuing education requirements for an individual seeking
 22 renewal of licensure as a social worker, clinical social worker, or
 23 marriage and family therapist.

24 (5) The retention of patient records and reports by a counselor.

25 (6) The approval of continuing education providers, programs,
 26 courses, fees, and proof of course completion.

27 (b) The board shall establish fees under IC 25-1-8-2.

28 (c) The board shall do the following:

29 (1) Consider the qualifications of individuals who apply for a
 30 license under this article.

31 (2) Provide for examinations required under this article.

32 (3) Subject to IC 25-1-8-6, renew licenses under this article.

33 (4) Conduct proceedings under IC 25-1-9.

34 SECTION 25. IC 25-23.6-2-9.5 IS ADDED TO THE INDIANA
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2009]: **Sec. 9.5. (a) The addiction counselor**
 37 **section of the board is established. The section consists of the**
 38 **following:**

39 (1) **Two (2) licensed clinical addiction counselor members of**
 40 **the board.**

41 (2) **Two (2) consumer members of the board.**

42 (3) **One (1) physician member of the board.**

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1 **(b) Three (3) members of the addiction counselor section, two**
 2 **(2) of whom must be addiction counselors, constitute a quorum.**

3 SECTION 26. IC 25-23.6-2-11 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 11. The social worker,
 5 marriage and family therapist, ~~and~~ mental health counselor, **and**
 6 **addiction counselor** sections of the board shall do the following:

7 (1) Approve continuing education courses authorized under this
 8 article.

9 (2) Propose rules to the board concerning the practice of the
 10 profession regulated by each section.

11 (3) Other duties as directed by the board.

12 SECTION 27. IC 25-23.6-4-2, AS AMENDED BY P.L.2-2007,
 13 SECTION 331, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) This article may not be
 15 construed to limit the social work or clinical social work services
 16 performed by a person who does not use a title specified in this article
 17 and who is one (1) of the following:

18 (1) A licensed or certified health care professional acting within
 19 the scope of the person's license or certificate.

20 (2) A student, an intern, or a trainee pursuing a course of study in
 21 medicine, psychology, or a course of study to gain licensure under
 22 this article in an accredited eligible postsecondary educational
 23 institution or training institution accredited by the Council on
 24 Social Work Education, or a graduate accumulating experience
 25 required for licensure if:

26 (A) the services are performed under qualified supervision and
 27 constitute a part of the person's supervised course of study or
 28 other level of supervision; and

29 (B) the student or graduate uses a title that contains the term
 30 "intern", "student", or "trainee".

31 (3) Not a resident of Indiana if the person performed social work
 32 in Indiana for not more than five (5) days in any one (1) month or
 33 more than fifteen (15) days in any one (1) calendar year and the
 34 person is authorized to perform such services under the laws of
 35 the state or country in which the person resides.

36 (4) A rabbi, priest, Christian Science practitioner, minister, or
 37 other member of the clergy.

38 (5) An employee or a volunteer for an organization performing
 39 charitable, religious, or educational functions, providing pastoral
 40 counseling, or other assistance.

41 (6) A person who provides school counseling. ~~or a person who is~~
 42 **certified by a state or national organization that is recognized by**

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the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

SECTION 28. IC 25-23.6-10.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 10.1. Addiction Counselors and Therapists; Unlawful Practices; Penalty

Sec. 1. (a) An individual may not:

(1) profess to be a licensed addiction counselor or licensed clinical addiction counselor;

(2) use the title:

- (A) "licensed addiction counselor";
- (B) "licensed clinical addiction counselor";
- (C) "licensed clinical addiction therapist";
- (D) "licensed addiction therapist";
- (E) "addiction counselor";
- (F) "addiction therapist";
- (G) "clinical addiction counselor";
- (H) "clinical addiction therapist";
- (I) "substance abuse counselor";
- (J) "substance abuse therapist";
- (K) "clinical substance abuse counselor"; or
- (L) "clinical substance abuse therapist";

(3) use any other title containing the words:

- (A) "licensed addiction counselor";
- (B) "licensed addiction therapist";
- (C) "licensed clinical addiction counselor";
- (D) "licensed clinical addiction therapist";
- (E) "addiction counselor";
- (F) "addiction therapist";
- (G) "clinical addiction counselor";
- (H) "clinical addiction therapist";
- (I) "substance abuse counselor";
- (J) "substance abuse therapist";
- (K) "clinical substance abuse counselor"; or
- (L) "clinical substance abuse therapist";

(4) use any other:

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- 1 (A) words;
 2 (B) letters;
 3 (C) abbreviations; or
 4 (D) insignia;
 5 indicating or implying that the individual is a licensed
 6 addiction counselor or licensed clinical addiction counselor;
 7 or
 8 (5) practice as an addiction counselor or clinical addiction
 9 counselor for compensation;
 10 unless the individual is licensed under this article.
 11 (b) Subsection (a)(5) does not apply to a person who is described
 12 in section (2)(a) or (3) of this chapter.
 13 (c) An individual who is exempt from licensing under section
 14 2(a)(4) of this chapter may use the title "pastoral addiction
 15 counselor" and may engage in the practice of addiction counseling
 16 for compensation.
 17 Sec. 2. (a) This article may not be construed to limit addiction
 18 counselor or clinical addiction counselor services performed by a
 19 person who does not use a title specified in this article and who is
 20 any of the following:
 21 (1) A licensed or certified health care professional acting
 22 within the scope of the person's license or certificate,
 23 including a:
 24 (A) social worker licensed under this article;
 25 (B) clinical social worker licensed under this article;
 26 (C) marriage and family therapist licensed under this
 27 article;
 28 (D) mental health counselor licensed under this article;
 29 (E) psychologist licensed under IC 25-33;
 30 (F) physician licensed under IC 25-22.5; or
 31 (G) nurse licensed under IC 25-23;
 32 and who has training and experience in addiction counseling.
 33 (2) A student, an intern, or a trainee pursuing a course of
 34 study in medicine or psychology or a course of study to gain
 35 licensure under this article in an accredited eligible
 36 postsecondary educational institution or training institution
 37 accredited by the Council for Accreditation of Counseling and
 38 Related Educational Programs or a graduate accumulating
 39 experience required for licensure if:
 40 (A) the services are performed under qualified supervision
 41 and constitute a part of the person's supervised course of
 42 study or other level of supervision; and

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(B) the student or graduate uses a title that contains the term "intern", "student", or "trainee".

(3) A nonresident of Indiana if the person performs addiction counseling or therapy in Indiana for not more than:

(A) five (5) days in any one (1) month; or

(B) fifteen (15) days in any one (1) calendar year;

and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for an organization performing charitable, religious, or educational functions or providing pastoral counseling or other assistance.

(6) A person who provides school counseling.

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(8) An employee of a court alcohol and drug program, a drug court, or a reentry court certified by the Indiana Judicial Center when performing assigned job duties.

(9) A probation officer when performing assigned job duties.

(b) This section does not prohibit a person referred to in subsection (a) from qualifying for licensure under this article.

Sec. 3. A person who is not licensed under this article may provide or ensure the provision of addiction counseling services in:

(1) a health facility licensed under IC 16-28;

(2) a hospital licensed under IC 16-21 or IC 12-25;

(3) a substance abuse facility certified by the division of mental health and addiction as an addiction services regular agency;

(4) a home health agency licensed under IC 16-27-1;

(5) a community health center;

(6) an institution operated by the department of correction; or

(7) a community mental health center under IC 12-21-2-3;

if the person has met all of the requirements established by a department of mental health and addiction approved credentialing agency, and the person does not profess to be a licensed addiction therapist or a licensed addiction counselor under this article.

Sec. 4. An individual who is licensed as an addiction counselor or clinical addiction counselor must include the words "licensed addiction counselor" or "licensed clinical addiction counselor" or the letters "LAC" or "LCAC" on all promotional materials, including:

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1 (1) business cards;
 2 (2) brochures;
 3 (3) stationery;
 4 (4) advertisements; and
 5 (5) signs;
 6 that name the individual.

7 Sec. 5. A licensed addiction counselor or licensed clinical
 8 addiction counselor licensed under this article may provide factual
 9 testimony but may not provide expert testimony.

10 Sec. 6. An individual who knowingly and intentionally violates
 11 this chapter after July 1, 2010, commits a Class A misdemeanor.

12 SECTION 29. IC 25-23.6-10.5 IS ADDED TO THE INDIANA
 13 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2009]:

15 **Chapter 10.5. Addiction Counselors; Clinical Addiction**
 16 **Counselors; Certification; Examinations**

17 Sec. 1. An individual who applies for a license as an addiction
 18 counselor must meet the following requirements:

19 (1) Furnish satisfactory evidence to the board that the
 20 individual has:

21 (A) received a baccalaureate or higher degree in addiction
 22 counseling or in a related area as determined by the board
 23 from:

24 (i) an eligible postsecondary educational institution that
 25 meets the requirements under section 3(a)(1) of this
 26 chapter; or

27 (ii) a foreign school that has a program of study that
 28 meets the requirements under section 3(a)(2) or 3(a)(3)
 29 of this chapter;

30 (B) completed the educational requirements under section
 31 5 of this chapter; and

32 (C) completed the experience requirements under section
 33 7 of this chapter.

34 (2) Furnish satisfactory evidence to the board that the
 35 individual does not have a conviction for a crime that has a
 36 direct bearing on the individual's ability to practice
 37 competently.

38 (3) Furnish satisfactory evidence to the board that the
 39 individual has not been the subject of a disciplinary action by
 40 a licensing or certification agency of another state or
 41 jurisdiction on the grounds that the individual was not able to
 42 practice as an addiction counselor without endangering the

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public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

Sec. 2. An individual who applies for a license as a clinical addiction counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter;

(B) completed the educational requirements under section 6 of this chapter; and

(C) completed the experience requirements under section 8 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

Sec. 3. An applicant under section 1 of this chapter must have a baccalaureate or higher degree in addiction counseling or in a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

(1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good

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standing with the Association of Universities and Colleges of Canada.

(3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

Sec. 4. (a) An applicant under section 2 of this chapter must have a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the following requirements:

(1) If the institution is located in the United States or a territory of the United States, at the time of the applicant's graduation the institution was accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(2) If the institution is located in Canada, at the time of the applicant's graduation the institution was a member in good standing with the Association of Universities and Colleges of Canada.

(3) If the institution is located in a foreign country other than Canada, at the time of the applicant's graduation the institution:

(A) was recognized by the government of the country where the school was located as a program to train in the practice of addiction counseling; and

(B) maintained a standard of training substantially equivalent to the standards of institutions accredited by a regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation.

(b) An applicant under section 2 of this chapter who has a master's or doctor's degree from a program that did not emphasize addiction counseling may complete the course work requirement from an institution that is:

(1) accredited by the Council for Accreditation of Counseling and Related Educational Programs;

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- (2) recognized by the National Association of Alcohol and Drug Abuse Counselors;
- (3) recognized by the International Certification and Reciprocity Consortium;
- (4) accredited by the Commission on Accreditation of Marriage and Family Therapy Education;
- (5) accredited by the American Psychological Association's Commission on Accreditation; or
- (6) accredited by the Council on Social Work Education.

Sec. 5. (a) An applicant under section 1 of this chapter must complete the following educational requirements:

(1) Forty (40) semester hours or sixty (60) quarter hours of course work from an eligible postsecondary educational institution that includes the following content areas:

- (A) Addictions theory.**
- (B) Psychoactive drugs.**
- (C) Addictions counseling skills.**
- (D) Theories of personality.**
- (E) Developmental psychology.**
- (F) Abnormal psychology.**
- (G) Treatment planning.**
- (H) Cultural competency.**
- (I) Ethics and professional development.**
- (J) Family education.**
- (K) Areas of content as approved by the board.**

(2) At least one (1) supervised practicum, internship, or field experience in an addiction counseling setting that requires the applicant to provide at least four hundred fifty (450) hours of addiction counseling services.

(b) The content areas under subsection (a)(1) may be combined into any one (1) college level course if the applicant can prove that the course work was devoted to each content area listed in subsection (a)(1).

Sec. 6. (a) An applicant under section 2 of this chapter must complete the following educational requirements:

(1) Twenty-seven (27) semester hours or forty-one (41) quarter hours of graduate course work that must include graduate level course credits with material in at least the following content areas:

- (A) Addiction counseling theories and techniques.**
- (B) Clinical problems.**
- (C) Psychopharmacology.**

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- 1 (D) Psychopathology.
- 2 (E) Clinical appraisal and assessment.
- 3 (F) Theory and practice of group addiction counseling.
- 4 (G) Counseling addicted family systems.
- 5 (H) Multicultural counseling.
- 6 (I) Research methods in addictions.
- 7 (J) Ethics.
- 8 (K) Family education.
- 9 (L) Clinical supervision.
- 10 (M) Areas of content as approved by the board.
- 11 (2) At least one (1) graduate level course of two (2) semester
- 12 hours or three (3) quarter hours in the following areas:
- 13 (A) Legal, ethical, and professional standards issues in the
- 14 practice of addiction counseling and therapy or an
- 15 equivalent course approved by the board.
- 16 (B) Appraisal and assessment for individual or
- 17 interpersonal disorder or dysfunction.
- 18 (3) At least one (1) supervised clinical practicum, internship,
- 19 or field experience in an addiction counseling setting that
- 20 requires the applicant to provide nine hundred sixty (960)
- 21 hours of addiction counseling services.
- 22 (b) The content areas may be combined into any one (1)
- 23 graduate level course if the applicant can prove that the course
- 24 work was devoted to each content area.
- 25 Sec. 7. (a) An applicant under section 1 of this chapter must
- 26 have at least two (2) years of addiction counseling experience that
- 27 must include at least two hundred (200) hours under supervision,
- 28 one hundred (100) hours of which must be under individual
- 29 supervision and fifty (50) hours of which must be under group
- 30 supervision. The supervision required must be provided by a
- 31 qualified supervisor, as determined by the board.
- 32 (b) A doctoral internship may be applied toward the supervised
- 33 work experience requirement.
- 34 (c) Except as provided in subsection (d), the experience
- 35 requirement may be met by work performed at or away from the
- 36 premises of the qualified supervisor.
- 37 (d) The work requirement may not be performed away from the
- 38 qualified supervisor's premises if:
- 39 (1) the work is the independent private practice of addiction
- 40 counseling; and
- 41 (2) the work is not performed at a place that has the
- 42 supervision of a qualified supervisor.

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1 **Sec. 8. (a) An applicant under section 2 of this chapter must**
 2 **have at least two (2) years of addiction therapy experience, which**
 3 **must include at least two hundred (200) hours under supervision,**
 4 **one hundred (100) hours of which must be under individual**
 5 **supervision and one hundred (100) hours of which must be under**
 6 **group supervision, by a qualified supervisor as determined by the**
 7 **board.**

8 **(b) A doctoral internship may be applied toward the supervised**
 9 **work experience requirement.**

10 **(c) Except as provided in subsection (d), the experience**
 11 **requirement may be met by work performed at or away from the**
 12 **premises of the qualified supervisor.**

13 **(d) The work requirement may not be performed away from the**
 14 **qualified supervisor's premises if:**

15 **(1) the work is the independent private practice of addiction**
 16 **therapy; and**

17 **(2) the work is not performed at a place that has the**
 18 **supervision of a qualified supervisor.**

19 **Sec. 9. (a) An individual who satisfies the requirements of**
 20 **sections 4, 6, and 8 of this chapter may take the licensed clinical**
 21 **addiction counselor examination established by the board.**

22 **(b) An individual who satisfies the requirements of sections 3, 5,**
 23 **and 7 of this chapter may take the licensed addiction counselor**
 24 **examination established by the board.**

25 **Sec. 10. (a) The board may issue a temporary permit to allow an**
 26 **individual to profess to be a licensed addiction counselor or**
 27 **licensed clinical addiction counselor if the individual pays a fee**
 28 **established by the board and the individual:**

29 **(1) has a valid license or certificate to practice from another**
 30 **state and the individual has applied for a license from the**
 31 **board;**

32 **(2) is practicing in a state that does not license addiction**
 33 **counselors or therapists but is certified by a national**
 34 **association approved by the board and the individual has**
 35 **applied for a license from the board; or**

36 **(3) has been approved by the board to take the examination**
 37 **and has graduated from a school or program approved by the**
 38 **board and the individual has completed any experience**
 39 **requirement.**

40 **(b) A temporary permit issued under this section expires the**
 41 **earliest of:**

42 **(1) the date the individual holding the permit is issued a**

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license under this article;

(2) the date the board disapproves the individual's license application; or

(3) one hundred eighty (180) days after the initial permit is issued.

(c) The board may renew a temporary permit if the individual holding the permit is scheduled to take the next examination and the individual:

(1) does not take the examination; and

(2) shows good cause for not taking the examination.

(d) A permit renewed under subsection (c) expires on the date the individual holding the permit receives the results from the next examination given after the permit was issued.

Sec. 11. (a) An individual who applies for an addiction counselor license under this article may be exempted by the board from the examination requirement under section 1 of this chapter if the individual:

(1) is licensed or certified as an addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;

(2) has engaged in the practice of addiction counseling for at least three (3) of the previous five (5) years;

(3) has passed an examination pertaining to the addiction counseling laws and rules of Indiana; and

(4) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 1, 3, 5, and 7 of this chapter.

(b) An individual who applies for a clinical addiction counselor license under this article may be exempted by the board from the examination requirement under section 2 of this chapter if the individual:

(1) is licensed or certified as a clinical addiction counselor in another state and has passed a licensing examination substantially equivalent to the licensing examination required under this article;

(2) has passed an examination pertaining to the addiction therapy laws and rules of Indiana; and

(3) has not committed any act and is not under investigation for any act that constitutes a violation of this article;

and is otherwise qualified under sections 2, 4, 6, and 8 of this

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chapter.

Sec. 12. (a) A license issued by the board under this chapter is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a license by paying a renewal fee on or before the expiration date of the license.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

Sec. 13. (a) The board may reinstate an invalid license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements of IC 25-1-8-6.

Sec. 14. (a) An individual who is licensed under this article shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

(1) record the fact the individual is retired; and

(2) release the individual from further payment of renewal fees.

SECTION 30. IC 31-32-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. The privileged communication between:

(1) a husband and wife;

(2) a health care provider and the health care provider's patient;

(3) a:

(A) ~~certified~~ **licensed** social worker;

(B) ~~certified~~ **licensed** clinical social worker; ~~or~~

(C) ~~certified~~ **licensed** marriage and family therapist;

(D) licensed mental health counselor;

(E) licensed addiction counselor; or

(F) licensed clinical addiction counselor.

and a client of any of the professionals described in clauses (A) through ~~(C)~~; **(F)**;

(4) a school counselor and a student; or

(5) a school psychologist and a student;

is not a ground for excluding evidence in any judicial proceeding resulting from a report of a child who may be a victim of child abuse or neglect or relating to the subject matter of the report or failing to

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report as required by IC 31-33.

SECTION 31. [EFFECTIVE JULY 1, 2009] (a) The definitions in IC 25-23.6-1, as amended by this act, apply throughout this SECTION.

(b) Notwithstanding IC 25-23.6, as amended by this act, before July 1, 2010, an individual may engage in the practice of addiction counseling and clinical addiction counseling, including the use of any other words, letters, abbreviations, or insignia indicating or implying that the individual is an addiction counselor or clinical addiction counselor, without a license issued under IC 25-23.6, as amended by this act.

(c) Notwithstanding IC 25-23.6-2-2(8), as amended by this act, before July 1, 2010, a clinical addiction counselor member of the board is not required to be licensed under IC 25-23.6.

(d) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual a clinical addiction counselor license if the individual meets the following requirements:

(1) Holds, before July 1, 2010, a master's or doctor's degree in a human services or behavioral science discipline from an eligible postsecondary educational institution.

(2) Holds a valid:

(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or

(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board.

(3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4) Files an initial application to the board before July 1, 2010.

(e) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual a clinical addiction counselor license if the individual meets the following requirements:

(1) Holds, before July 1, 2010, a master's or doctor's degree in a human services or behavioral science discipline from an eligible postsecondary educational institution.

(2) Has at least five (5) years of experience in clinical addiction counseling.

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(3) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.

(4) Holds a license in good standing as a:

(A) clinical social worker under IC 25-23.6-5-2;

(B) marriage and family therapist under IC 25-23.6-8-1;

(C) mental health counselor under IC 25-23.6-8.5-1; or

(D) psychologist under IC 25-33-1-5.1.

(5) Files an initial application with the board before July 1, 2010.

(f) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual an addiction counselor license if the individual meets the following requirements:

(1) Holds a valid:

(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or

(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board.

(2) Has at least ten (10) years of experience in addiction counseling.

(3) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.

(4) Files an initial application with the board before July 1, 2010.

(g) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual an addiction counselor license if the individual meets the following requirements:

(1) Has at least three (3) years of experience in addiction counseling.

(2) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.

(3) Holds a license in good standing as a:

(A) social worker under IC 25-23.6-5-1;

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(B) clinical social worker under IC 25-23.6-5-2;

(C) marriage and family therapist under IC 25-23.6-8-1;

(D) mental health counselor under IC 25-23.6-8.5-1; or

(E) psychologist under IC 25-33-1-5.1.

(4) Files an initial application with the board before July 1, 2010.

(h) The board may exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual a clinical addiction counselor license if the individual meets the following requirements:

(1) Holds, before July 1, 2010, a bachelor's degree in a human services or behavioral science discipline from an eligible postsecondary educational institution.

(2) Holds a valid Level IV certification from the Indiana Counselors Association on Alcohol and Drug Abuse or certification at the Internationally Certified Advanced Alcohol & Drug Counselor level from the International Certification & Reciprocity Consortium.

(3) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.

(4) Has at least twenty-five (25) years of experience in clinical addiction counseling.

(5) Files an initial application to the board before July 1, 2010.

(i) The following two (2) members of the board under IC 25-23.6-2-2(7), as amended by this act, shall be appointed to the board to terms beginning July 1, 2009, as follows:

(1) One (1) licensed clinical addiction counselor to a term of two (2) years by the president pro tempore of the senate.

(2) One (1) licensed clinical addiction counselor to a term of three (3) years by the speaker of the house of representatives.

(j) Notwithstanding IC 25-23.6-2-2(b), as amended by this act, a member of the board may continue to serve until the member's term expires.

(k) This SECTION expires July 2, 2010.

SECTION 32. [EFFECTIVE JULY 1, 2009] (a) Before November 1, 2009, the health finance commission established by IC 2-5-23-3 shall study and make recommendations concerning the following:

(1) Whether a paramedic board should be established to license paramedics instead of paramedics being certified by the emergency medical services commission.

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- 1 **(2) Whether any of the qualifications or requirements for**
- 2 **becoming a paramedic need to be changed.**
- 3 **(b) This SECTION expires December 1, 2009.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 96, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 13, line 6, delete "abuse" and insert "**use**".

Page 13, line 27, delete "or an addiction" and insert "**or a clinical addiction counselor**".

Page 13, line 28, delete "therapist".

Page 13, line 36, delete "addiction" and insert "**clinical addiction counselor**".

Page 13, line 37, delete "therapist".

Page 13, line 37, delete "an addiction" and insert "**a clinical addiction counselor**".

Page 13, line 38, delete "therapist".

Page 14, line 20, delete "plan" and insert "**assist in the development of a plan individualized for**".

Page 14, line 22, delete "and evaluation;" and insert "**evaluation, and mental health therapy;**".

Page 14, line 29, after "individual" insert "**and group**".

Page 15, line 10, after "in" insert "**individualized**".

Page 15, line 23, after "for" insert "**individualized**".

Page 16, line 39, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 17, line 30, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 6, delete "addiction therapist;" and insert "**clinical addiction counselor;**".

Page 19, line 23, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 25, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 19, line 28, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 20, between lines 26 and 27, begin a new line block indented and insert:

"(8) An employee of a court alcohol and drug program, a drug court, or a reentry court certified by the Indiana Judicial Center.

(9) A probation officer."

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Page 20, line 29, delete "may use" and insert "**may**".

Page 20, delete line 30.

Page 20, line 31, delete "(1) provides or ensures provision" and insert "**provide or ensure the provision**".

Page 20, run in lines 29 through 31.

Page 20, line 32, delete "a".

Page 20, line 33, delete "(A)", begin a new line block indented and insert:

"(1) a".

Page 20, line 34, delete "(B)", begin a new line block indented and insert:

"(2) a".

Page 20, line 35, delete "(C)", begin a new line block indented and insert:

"(3) a".

Page 20, line 36, delete ";" and insert "**as an addiction services regular agency;**".

Page 20, line 37, delete "(D)", begin a new line block indented and insert:

"(4) a".

Page 20, line 38, delete "(E)", begin a new line block indented and insert:

"(5) a".

Page 20, line 38, delete "or".

Page 20, line 39, delete "(F)", begin a new line block indented and insert:

"(6) an institution operated by the department of correction;
or
(7) a".

Page 20, delete lines 40 through 42, begin a new line blocked left and insert:

"if the person has met all of the requirements established by a department of mental health and addiction approved credentialing agency, and the person does not profess to be a licensed addiction therapist or a licensed addiction counselor under this article."

Page 21, delete lines 1 through 6.

Page 21, line 8, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 21, line 10, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 21, line 13, delete "addiction therapist"" and insert "**clinical addiction counselor**".

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Page 21, line 21, after "or licensed" delete "addiction" and insert **"clinical addiction counselor"**.

Page 21, line 22, delete "therapist".

Page 21, line 29, delete "Addiction Therapists;" and insert **"Clinical Addiction Counselors;"**.

Page 22, line 19, delete "an addiction" and insert **"a clinical addiction counselor"**.

Page 22, line 20, delete "therapist".

Page 22, line 42, delete "an addiction therapist" and insert **"a clinical addiction counselor"**.

Page 23, line 2, delete "an addiction therapist" and insert **"a clinical addiction counselor"**.

Page 23, line 33, delete "accredited by the Council for Accreditation of Counseling" and insert **"a division of mental health and addiction approved credentialing agency; or"**.

Page 23, delete lines 34 through 39.

Page 23, line 40, delete "(5)" and insert **"(2)"**.

Page 25, line 12, delete "five hundred (500) direct client" and insert **"four hundred fifty (450)"**.

Page 25, line 13, delete "contact".

Page 26, line 19, delete "one thousand" and insert **"nine hundred sixty (960)"**.

Page 26, line 20, delete "(1,000) direct client contact".

Page 27, line 5, after "II" insert **"or higher or the equivalent"**.

Page 27, line 7, delete "a National Association of Alcohol and Drug Abuse" and insert **"a division of mental health and addiction approved credentialing agency; and"**.

Page 27, delete lines 8 through 9.

Page 27, line 21, after "licensed" insert **"clinical"**.

Page 27, line 36, after "II" insert **"or higher or the equivalent"**.

Page 27, line 36, after "is a" insert **"division of mental health and addiction approved credentialing agency."**

Page 27, delete lines 37 through 39.

Page 28, line 2, delete "addiction therapist." and insert **"clinical addiction counselor."**

Page 28, line 4, delete "addiction therapist's" and insert **"clinical addiction counselor's"**.

Page 28, line 8, delete "addiction therapist" and insert **"clinical addiction counselor"**.

Page 28, line 11, delete "addiction" and insert **"clinical addiction counselor"**.

Page 28, line 12, delete "therapist".

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Page 28, line 18, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 29, line 21, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 29, line 25, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 30, line 3, delete "addiction therapist." and insert "**clinical addiction counselor.**".

Page 30, line 17, delete "addiction therapy," and insert "**clinical addiction counseling,**".

Page 30, line 20, delete "addiction therapist," and insert "**clinical addiction counselor,**".

Page 30, line 26, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 30, line 30, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 30, line 35, delete "certification at the highest level offered by" and insert "**level II or higher or the equivalent certification from a division of mental health and addiction approved credentialing agency.**".

Page 30, delete lines 36 through 39.

Page 31, line 2, delete "an addiction therapist" and insert "**a clinical addiction counselor**".

Page 31, line 15, after "II" insert "**or higher or the equivalent**".

Page 31, line 15, delete "certifying body" and insert "**division of mental health and addiction approved credentialing agency.**".

Page 31, delete lines 16 through 20.

Page 31, line 21, after "(2)" insert "**Has at least ten (10) years of experience in addiction counseling.**

(3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4)".

Page 31, line 23, after "(h)" insert "**An individual licensed under subsection (g) may provide services in private practice in consultation with other licensed professionals as required by the individualized treatment plan.**

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Page 31, line 28, delete "addiction therapist" and insert "**clinical addiction counselor**".

Page 31, line 30, delete "(i)" and insert "**(j)**".

and when so amended that said bill do pass.

(Reference is to SB 96 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 96 be amended to read as follows:

Page 19, delete line 13.

Page 19, line 14, delete "(D)" and insert "**(C)**".

Page 19, line 15, delete "(E)" and insert "**(D)**".

(Reference is to SB 96 as printed February 20, 2009.)

LAWSON C

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 96, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 28, before "board." insert "**and human services licensing**".

Page 4, line 9, before "board" insert "**and human services licensing**".

Page 4, line 42, before "board" insert "**and human services licensing**".

Page 5, line 31, before "board" insert "**and human services licensing**".

Page 7, line 29, delete "counselor" and insert "~~counselor~~".

Page 7, line 29, before "board" insert "**and human services licensing**".

Page 9, line 2, before "board" insert "**and human services**

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licensing".

Page 10, line 19, before "board" insert **"and human services licensing"**.

Page 12, line 9, before "board" insert **"and human services licensing"**.

Page 12, line 30, after "or a licensed" delete "addiction" and insert **"clinical addiction counselor practicing addiction counseling or clinical addiction counseling"**.

Page 12, line 31, delete "therapist".

Page 13, line 4, delete "that consists of providing" and insert **"during which an applicant provides"**.

Page 13, delete lines 7 through 14.

Page 13, line 18, after "health" insert **"and human services licensing"**.

Page 13, between lines 18 and 19, begin a new paragraph and insert:
"SECTION 12. IC 25-23.6-1-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2.6. "Clinical addiction counseling experience" refers to a time during which an applicant provides clinical services, including evaluation and treatment of clients, and at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder."

Page 14, line 34, after "facilities;" insert **"and"**.

Page 14, delete line 36.

Page 14, between lines 41 and 42, begin a new paragraph and insert:
"(c) For an individual who obtains a license as an addiction counselor by:

(1) holding a valid:

(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or

(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;

(2) having at least ten (10) years of experience in addiction counseling;

(3) furnishing satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently; and

(4) filing an initial application with the board before July 1,

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the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan."

Page 15, line 2, delete "addiction" and insert **"clinical addiction counseling"**.

Page 15, line 3, delete "therapy"

Page 15, line 4, delete "addiction therapist" and insert **"clinical addiction counselor"**.

Page 15, line 13, delete "clinical addiction therapist" and insert **"licensed clinical addiction counselor"**.

Page 15, line 22, delete "addiction therapist's" and insert **"clinical addiction counselor's"**.

Page 16, line 6, after "health" insert **"and human services licensing"**.

Page 16, line 37, delete "One (1) licensed addiction counselor" and insert **"Two (2) licensed clinical addiction counselors"**.

Page 16, line 38, delete "is" and insert **"are"**.

Page 16, line 39, delete "has" and insert **"have"**.

Page 16, delete lines 41 through 42.

Page 17, delete lines 1 through 2.

Page 17, line 10, delete "addiction therapy." and insert **"clinical addiction counseling."**

Page 17, line 29, delete "and therapist".

Page 17, line 36, delete "and therapist".

Page 17, line 37, delete "section" and insert **"section, two (2) of whom must be addiction counselors,"**

Page 17, line 41, delete "and therapist".

Page 19, line 7, after "1." insert **"(a)"**.

Page 19, line 13, delete "or".

Page 19, delete lines 15 through 18, begin a new line double block indented and insert:

"(E) "addiction counselor";

(F) "addiction therapist";

(G) "clinical addiction counselor"; or

(H) "clinical addiction therapist";

(3) use any other title containing the words:

(A) "licensed addiction counselor";

(B) "licensed addiction therapist";

(C) "licensed clinical addiction counselor";

(D) "licensed clinical addiction therapist";

(E) "addiction counselor";

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- (F) "addiction therapist";
- (G) "clinical addiction counselor"; or
- (H) "clinical addiction therapist";.

Page 19, line 27, delete "a licensed" and insert "**an**".

Page 19, line 27, after "or" delete "licensed".

Page 19, between lines 29 and 30, begin a new paragraph and insert:

"(b) Subsection (a)(5) does not apply to a person who is described in section (2)(a) or (3) of this chapter."

Page 19, line 30, delete "licensed".

Page 19, line 31, delete "licensed".

Page 20, line 32, delete "Center." and insert "**Center when performing assigned job duties.**".

Page 20, line 33, delete "officer." and insert "**officer when performing assigned job duties.**".

Page 21, line 10, delete "must:" and insert "**must include the words 'licensed addiction counselor' or 'licensed clinical addiction counselor' or the letters 'LAC' or 'LCAC' on all promotional materials, including:**

- (1) business cards;**
- (2) brochures;**
- (3) stationery;**
- (4) advertisements; and**
- (5) signs;".**

Page 21, delete lines 11 through 21.

Page 21, line 22, beginning with "that" begin a new line blocked left.

Page 22, line 18, delete "addiction counselor examination provided" and insert "**examination established**".

Page 23, line 4, delete "a clinical addiction counselor examination provided" and insert "**an examination established**".

Page 23, line 7, delete "(a)".

Page 23, delete lines 31 through 37.

Page 24, line 22, delete "therapy" and insert "**counseling**".

Page 24, delete lines 30 through 31, begin a new line block indented and insert:

- "(4) accredited by the Commission on Accreditation of Marriage and Family Therapy Education;**
- (5) accredited by the American Psychological Association's Commission on Accreditation; or**
- (6) accredited by the Council on Social Work Education."**

Page 24, line 34, delete "Except as provided in section 3 of this chapter, forty" and insert "**Forty**".

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Page 25, line 10, delete "services under the supervision of a" and insert "**services.**".

Page 25, delete lines 11 through 24.

Page 25, line 31, delete "Except as provided in section 4(b) of this chapter,".

Page 25, line 32, delete "twenty-seven" and insert "**Twenty-seven**".

Page 26, line 14, delete "Complete at" and insert "**At**".

Page 26, line 17, delete "services under the" and insert "**services.**".

Page 26, delete lines 18 through 31.

Page 26, line 36, delete "have:" and insert "**have**".

Page 26, line 37, delete "(1) at least three (3)" and insert "**at least two (2)**".

Page 26, run in lines 36 through 37.

Page 26, line 38, delete "of" and insert "**under**".

Page 26, line 40, before "individual" insert "**under**".

Page 26, line 41, before "group" insert "**under**".

Page 26, line 42, delete "and" and insert "**by the board.**".

Page 27, delete lines 1 through 6.

Page 27, line 11, delete "supervising licensed addiction counselor." and insert "**qualified supervisor.**".

Page 27, line 13, delete "licensed addiction counselor's" and insert "**qualified supervisor's**".

Page 27, line 17, delete "licensed clinical addiction counselor or an" and insert "**qualified supervisor.**".

Page 27, delete line 18.

Page 27, line 20, delete "have:" and insert "**have**".

Page 27, line 21, delete "(1) at least three (3)" and insert "**at least two (2)**".

Page 27, run in lines 20 through 21.

Page 27, line 22, delete "of" and insert "**under**".

Page 27, line 23, after "be" insert "**under**".

Page 27, line 25, after "be" insert "**under**".

Page 27, line 26, delete "and approved by the board; or" and insert "**by the board.**".

Page 27, delete lines 27 through 34.

Page 27, line 39, delete "supervising licensed clinical addiction counselor." and insert "**qualified supervisor.**".

Page 27, line 41, delete "licensed clinical addiction counselor's" and insert "**qualified supervisor's**".

Page 28, line 3, delete "licensed clinical addiction counselor or an" and insert "**qualified supervisor.**".

Page 28, delete line 4.

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Page 28, line 7, delete "provided" and insert **"established"**.

Page 28, line 10, delete "provided" and insert **"established"**.

Page 29, between lines 29 and 30, begin a new paragraph and insert:

"Sec. 12. (a) A license issued by the board under this chapter is valid for the remainder of the renewal period in effect on the date the license was issued.

(b) An individual may renew a license by paying a renewal fee on or before the expiration date of the license.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a license, the license becomes invalid.

Sec. 13. (a) The board may reinstate an invalid license up to three (3) years after the expiration date of the license if the individual holding the invalid license meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a license expired, the individual holding the license may renew the license by satisfying the requirements for renewal established by the board and meeting the requirements of IC 25-1-8-6.

Sec. 14. (a) An individual who is licensed under this article shall notify the board in writing when the individual retires from practice.

(b) Upon receipt of the notice, the board shall:

(1) record the fact the individual is retired; and

(2) release the individual from further payment of renewal fees."

Page 29, line 36, strike "certified" and insert **"licensed"**.

Page 29, line 37, strike "certified" and insert **"licensed"**.

Page 29, line 38, strike "certified" and insert **"licensed"**.

Page 29, between lines 38 and 39, begin a new line double block indented and insert:

"(D) licensed mental health counselor;".

Page 29, line 39, delete "(D)" and insert **"(E)"**.

Page 29, line 40, delete "(E)" and insert **"(F)"**.

Page 29, line 42, delete "(E);" and insert **"(F);"**.

Page 30, line 11, delete "licensed".

Page 30, line 12, delete "licensed".

Page 30, line 14, delete "a licensed" and insert **"an"**.

Page 30, line 15, delete "licensed".

Page 30, delete lines 17 through 19.

Page 30, line 20, delete "(d)" and insert **"(c)"**.

Page 30, line 23, delete "(e)" and insert **"(d)"**.

Page 30, line 28, delete "service" and insert **"services"**.

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Page 30, line 30, delete "valid level II or higher or the equivalent" and insert "valid:

- (A) level II or higher or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or
- (B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board.
- (3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.
- (4) Files an initial application to the board before July 1, 2010.
- (e) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual a clinical addiction counselor license if the individual meets the following requirements:
 - (1) Holds, before July 1, 2010, a master's or doctor's degree in a human services or behavioral science discipline from an eligible postsecondary educational institution.
 - (2) Has at least ten (10) years of experience in clinical addiction counseling.
 - (3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.
 - (4) Holds a license in good standing as a:
 - (A) clinical social worker under IC 25-23.6-5-2;
 - (B) marriage and family therapist under IC 25-23.6-8-1;
 - (C) mental health counselor under IC 25-23.6-8.5-1; or
 - (D) psychologist under IC 25-33-1-5.1.
 - (5) Files an initial application with the board before July 1, 2010.
- (f) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual an addiction counselor license if the individual meets the following requirements:
 - (1) Holds a valid:
 - (A) level II or higher or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or
 - (B) certification as an addiction counselor or addiction

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therapist from a credentialing agency that is approved by the board.

(2) Has at least ten (10) years of experience in addiction counseling.

(3) Furnishes satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(4) Files an initial application with the board before July 1, 2010.

(g) The governor shall appoint the following two (2) members of the board under IC 25-23.6-2-2(7), as amended by this act, to terms beginning July 1, 2009, as follows:

(1) One (1) licensed clinical addiction counselor to a term of two (2) years.

(2) One (1) licensed clinical addiction counselor to a term of three (3) years.

(h) This SECTION expires July 2, 2010."

Page 30, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 32. [EFFECTIVE JULY 1, 2009] (a) Before November 1, 2009, the health finance commission established by IC 2-5-23-3 shall study and make recommendations concerning the following:

(1) Whether a paramedic board should be established to license paramedics instead of paramedics being certified by the emergency medical services commission.

(2) Whether any of the qualifications or requirements for becoming a paramedic need to be changed.

(b) This SECTION expires December 1, 2009."

Delete page 31.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 96 as reprinted February 24, 2009.)

BROWN C, Chair

Committee Vote: yeas 11, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 96 be amended to read as follows:

Page 13, line 15, delete "disorder." and insert "**disorder, including treatment of clients, and with respect to which at least fifty percent (50%) of the time consists of providing addiction counseling services directly to clients diagnosed with a substance use disorder.**".

Page 14, line 22, after "change" insert "**substance use or**".

Page 15, line 32, after "change" insert "**substance use or**".

Page 16, line 40, strike "by the governor".

Page 17, line 27, after "in" insert "**clinical**".

Page 17, line 29, strike "Not more than".

Page 17, line 29, delete "six (6)".

Page 17, line 29, strike "members of the board may be".

Page 17, line 30, strike "from the same political party." and insert "**The members of the board shall be appointed as follows:**

(1) One (1) member appointed under subsection (a)(2), one member appointed under subsection (a)(3), and one member appointed under subsection (a)(6) appointed by the governor. Not more than two (2) of the members appointed under this subdivision may be from the same political party.

(2) One (1) member appointed under subsection (a)(1), one member appointed under subsection (a)(4), one member appointed under subsection (a)(5), and one member appointed under subsection (a)(7) appointed by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be from the same political party.

(3) One (1) member appointed under subsection (a)(1), one member appointed under subsection (a)(4), one member appointed under subsection (a)(5), and one member appointed under subsection (a)(7) appointed by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be from the same political party."

Page 18, delete line 15.

Page 18, line 16, delete "(2) One (1)" and insert "**(1) Two (2)**".

Page 18, line 16, delete "member" and insert "**members**".

Page 18, line 18, delete "(3)" and insert "**(2)**".

Page 18, line 19, delete "(4)" and insert "**(3)**".

Page 19, line 42, delete "or".

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Page 20, between lines 1 and 2, begin a new line double block indented and insert:

- "(I) "substance abuse counselor";**
- (J) "substance abuse therapist";**
- (K) "clinical substance abuse counselor"; or**
- (L) "clinical substance abuse therapist";".**

Page 20, line 9, delete "or".

Page 20, between lines 10 and 11, begin a new line double block indented and insert:

- "(I) "substance abuse counselor";**
- (J) "substance abuse therapist";**
- (K) "clinical substance abuse counselor"; or**
- (L) "clinical substance abuse therapist";".**

Page 20, between lines 23 and 24, begin a new paragraph and insert:

"(c) An individual who is exempt from licensing under section 2(a)(4) of this chapter may use the title "pastoral addiction counselor" and may engage in the practice of addiction counseling for compensation."

Page 30, line 20, delete "licensed".

Page 30, line 30, after "higher" insert **"certification"**.

Page 31, line 6, delete "ten (10)" and insert **"five (5)"**.

Page 31, line 9, delete "does not have a conviction for" and insert **"has not been convicted in the last two (2) years of"**.

Page 31, line 24, after "higher" insert **"certification"**.

Page 31, line 33, delete "does not have a conviction for" and insert **"has not been convicted in the last two (2) years of"**.

Page 31, between lines 37 and 38, begin a new paragraph and insert:

"(g) The board shall exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual an addiction counselor license if the individual meets the following requirements:

- (1) Has at least three (3) years of experience in addiction counseling.**
- (2) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.**
- (3) Holds a license in good standing as a:**
 - (A) social worker under IC 25-23.6-5-1;**
 - (B) clinical social worker under IC 25-23.6-5-2;**
 - (C) marriage and family therapist under IC 25-23.6-8-1;**
 - (D) mental health counselor under IC 25-23.6-8.5-1; or**

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(E) psychologist under IC 25-33-1-5.1.

(4) Files an initial application with the board before July 1, 2010.

(h) The board may exempt an individual from the requirements under IC 25-23.6, as amended by this act, and grant the individual a clinical addiction counselor license if the individual meets the following requirements:

(1) Holds, before July 1, 2010, a bachelor's degree in a human services or behavioral science discipline from an eligible postsecondary educational institution.

(2) Holds a valid Level IV certification from the Indiana Counselors Association on Alcohol and Drug Abuse or certification at the Internationally Certified Advanced Alcohol & Drug Counselor level from the International Certification & Reciprocity Consortium.

(3) Furnishes satisfactory evidence to the board that the individual has not been convicted in the last two (2) years of a crime that has a direct bearing on the individual's ability to practice competently.

(4) Has at least twenty-five (25) years of experience in clinical addiction counseling.

(5) Files an initial application to the board before July 1, 2010."

Page 31, line 38, delete "(g) The governor shall appoint the" and insert "(i) The".

Page 31, line 39, after "act," insert "**shall be appointed to the board**".

Page 31, line 42, delete "years." and insert "**years by the president pro tempore of the senate.**".

Page 32, line 2, delete "years." and insert "**years by the speaker of the house of representatives.**".

Page 32, between lines 2 and 3, begin a new paragraph and insert: "**(j) Notwithstanding IC 25-23.6-2-2(b), as amended by this act, a member of the board may continue to serve until the member's term expires.**".

Page 32, line 3, delete "(h)" and insert "(k)".

(Reference is to ESB 96 as printed April 10, 2009.)

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